

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Arto PALIN et al.

Art Unit: 2617

Application No.: 10/660,545
Confirmation No.: 6422

Examiner: Joel Ajayi

Filing Date: September 12, 2003

Atty. Docket No.: 27592-00123

For: METHOD AND SYSTEM FOR
PROCESSING
ACKNOWLEDGMENTS IN A
WIRELESS COMMUNICATIONS
NETWORK

Customer No.: 30678

Response to Final Office Action

Box AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action ("Office Action") mailed on May 2, 2007, Applicants submit the following response. Should any fees be due other than those that may be noted on an accompanying paper, please charge such fees, or if an overpayment has been made, credit such overpayment, to Deposit Account No. 22-0185.

Request for Reconsideration

Applicants thank the Examiner for the careful consideration given this application. Reconsideration of this application is requested in view of the following remarks.

Claims 1, 3-13, 15-17, and 19-23 are currently pending in this application, all of which have been rejected, as will be discussed below.

In particular, at pages 2-8, the Office Action rejects Claims 1, 3-13, 15-17, and 19-23 under 35 U.S.C. § 103(a) as being unpatentable over Armantrout (U.S. Patent No. 6,349,199) in view of Tomlinson, Jr. et al. (U.S. Patent Application Publication No. 2003/0100288). These rejections are respectfully traversed for at least the following reasons.

Claim 1 is directed to “[a] method of controlling a multicast transmission” and includes a limitation of “transmitting a data packet to a plurality of devices.” The other independent claims (Claims 13, 17, and 21) similarly discuss transmission of a packet to a plurality of devices. The Office Action at page 3 asserts that “Armantrout clearly discloses a method of controlling a multicast transmission (abstract, column 3, lines 11-59; column 4, lines 14-25; column 5, lines 22-58)” and that these same passages of Armantrout disclose the transmitting of a data packet to a plurality of devices. However, nowhere in the cited passages, or anywhere else in Armantrout, can such disclosures be found. Armantrout, as discussed, for example, at col. 1, lines 7-10, is directed toward “single line fixed cellular terminals adapted to provide continuous and reliable telephone service.” Similarly, at col. 3, lines 11-14, Armantrout discusses using “a fixed cellular terminal to connect a non-mobile telephone communication device to a cellular telephone

network.” Similar and more detailed passages may be found throughout the cited (and uncited) portions of Armantrout. In other words, *Armantrout does not at all deal with multicast communications; Armantrout deals with point-to-point communications. Accordingly, Armantrout does not transmit a data packet to a plurality of devices, as claimed in Claim 1.*

In view of this, it is respectfully submitted that Armantrout is not relevant to the claimed invention and that the rejections should be withdrawn.

Furthermore, the Office Action states, at page 3, that Armantrout discloses all of the subject matter of Claim 1 except “[a]n ultra wideband (UWB) wireless network; and retransmission.” (Note that the Office Action also recites related deficiencies in Armantrout with respect to the other independent claims.) At page 4, the Office Action relies on Tomlinson, Jr. et al. to remedy these deficiencies. However, again, one must look at the system that is disclosed in Armantrout. The purpose of that system, as noted above, is to provide “single line fixed cellular terminals adapted to provide continuous and reliable telephone service.” As discussed in the recited passages of Armantrout, the fixed cellular terminal sends periodic registration messages to the cellular telephone network (as noted at col. 4, lines 11-12, this is typically through a cellular tower (a single point)), receives acknowledgments of those message, counts the number of consecutive acknowledgments not timely received, and initiates correction of a failure of interaction when the count reaches a threshold (see, e.g., the abstract). This is further discussed at col. 5, lines 53-67 and col. 6, lines 1-9, where it is made clear that this is a procedure for *detecting* a link failure.

On the other hand, the cited portions of Tomlinson, Jr. et al. (e.g., paragraphs 15 and 16) discuss a retransmission scheme that is used when data packets are found to have errors, a means for providing *error correction*. That is, a positive/negative (ACK/NAK) scheme is used to inform the sending site when packets have errors, so that retransmission can be undertaken.

As a result, there are a number of problems in combining the teachings of Tomlinson, Jr. et al. with the teachings of Armantrout. The purpose of Armantrout is to detect unreliable communications by transmitting registration packets and determining when they are not acknowledged, and to thereby permit the implementation of corrective measures because it is understood that the point-to-point communications link has failed. The scheme of Armantrout is *not concerned with data integrity* and has no use for retransmission capabilities. If the purpose of a system is to detect the occurrence of a lack of reception of test (registration) packet by means of a lack of acknowledgment, there is no need for correction, and to add retransmission capability merely adds additional, unnecessary complexity. Therefore, it is respectfully submitted that one of ordinary skill in the art would *not* be motivated to combine the teachings of Tomlinson, Jr. et al. with those of Armantrout. Thus, it is further submitted that the rejections of all claims under this combination of references should be withdrawn.

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

Conclusion

Applicants believe that the above amendments and remarks address all of the grounds for rejection and place the application in condition for allowance. Applicants, therefore, respectfully request prompt and favorable consideration of this Response and reconsideration of this application.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

/Jeffrey W. Gluck/

Date: July 26, 2007

Jeffrey W. Gluck, Ph.D.
Registration No. 44,457
Connolly Bove Lodge & Hutz LLP
1875 Eye Street NW, Suite 1100
Washington, DC 20006
Telephone: 202-331-7111
Direct Dial: 202-572-0322
Facsimile: 202-293-6229

JWG/bms
CB-554487